



## Today's WIP/TMDL Call with WV

**Robert Wood** to: Shawn Garvin, James Edward, Jon Capacasa,  
Jeffrey Corbin, chuck fox

12/21/2010 05:35 PM

Cc: Katherine Antos, Lucinda Power, Leo Essenthier, Ning Zhou

Here's a quick report out from my call today with WV on EPA's evaluation of their WIP.

### State participants were:

Scott Mandirola, Division Director, DEP Div Water and Waste Mgmt;  
Dave Montali, TMDL Coordinator, DEP;  
Matt Monroe, Assistant Director, Environmental Programs, WV Department of Agriculture;  
Steve Hannah, Chesapeake Bay WIP coordinator, WV Department of Agriculture.  
Teresa Koon, WV DEP  
Alana Hartman WV DEP  
Wood  
Antos

I walked them through the two-pager and we answered all their questions. There were no surprises for them, though I think they were pleased that the SW allocation shifts aren't happening now—I told them two weeks ago to expect shifts now. They did raise one concern I would like you to consider:

1. EPA actions for agriculture: They understood and did not raise concerns about the 75% LA to WLA shift for AFOs. They did, however raise a concern about our statement that based on progress in the development of their programs to reduce ag load (review of the State Technical Standards, number of CAFO permit applications and permits issued under the new program) we will assess in the Phase II WIP whether more stringent wasteload allocations for WWTPs are necessary. They said the Phase II period is too short for EPA to adequately judge the progress of their ag program implementation insofar as we would make WWTP WLAs more stringent. They are concerned that threatening to make significant WWTP WLAs more stringent will create uncertainty about the WWTP targets and undermine the very significant initiative to fund WWTP upgrades that is being pushed now in the state. They asked if we really need to say this explicitly. **I think we should consider dropping the statement from the 2-pager, but keep it section 8 of the TMDL. They know we can lower WLAs for significant WWTPs whether it 's in the 2-pager or not—they made this point in the call. Taking it out of the 2-pager will make it a much lower profile publically, but section 8 would still make the point.**

They also made a couple of more technical points I'm passing along to everyone:

- Teresa said they have not received additional information we committed to send them on the state technical standards and asked for that information to be sent to her. I'm not sure who is responsible for that so **Leo, could you please follow up with Kelly, Hank or other appropriate person at EPA?** Thanks
- Dave asked that in articulating the WLAs for the significant WWTPs, that we make sure to use the correct numbers. He cited to Appendix A.1 of their WIP where the EOS WLAs for thirteen significant municipal WWTPs are presented. **I have checked with Ning Zhou and he is ensuring the correct numbers from the WV WIP are being used in the TMDL.**

---

Acting Deputy Director  
Chesapeake Bay Program Office  
410-267-5702

410 Severn Avenue Suite 109  
Annapolis, Maryland 21403

wood.robort@epa.gov